

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARCOS VASQUEZ-PINEDA,

Petitioner,

V.

UNITED STATES OF AMERICA, et al.,

Respondents.

Case No. C13-2309 RSL-BAT

REPORT AND RECOMMENDATION

Petitioner is a citizen of El Salvador, who is currently being detained without bond at the west Detention Center in Tacoma. Dkt. 1 at 1. Through counsel, petitioner filed a habeas petition pursuant to 28 U.S.C. § 2241, asking the Court to direct the Tacoma Immigration to provide him with a new bond redetermination hearing. *Id.* at 2. The Court directed that dents be served and that respondents file a return as provided in 28 U.S.C. § 2243, ning why the Court should not grant the petition. Dkt. 2.

In lieu of respondents filing a return, the parties have filed a joint stipulation that petitioner will be given a bond hearing before an immigration judge under 8 U.S.C. § 1226(a). Dkt. 5 at 1. The parties ask the Court to issue an order instructing the Executive Office for Immigration Review (“EOIR”) to hold the bond hearing under § 1226(a) no later than thirty (30) days from entry of the Court’s order. *Id.* The parties further stipulate that upon the Court’s order

1 to hold the bond hearing, this action should be voluntarily dismissed without costs or fees to
2 either party. *Id.*

3 Based on the parties' stipulation, the Court recommends entering an Order (1) directing
4 EOIR to hold a bond hearing for petitioner pursuant to 8 U.S.C. § 1226(a), no later than thirty
5 (30) days from the entry of the Order; and (2) voluntarily dismissing this action without costs or
6 fees to either party. A proposed order accompanies this Report and Recommendation.

7 The Clerk should note the matter for January 24, 2014, as ready for the District Judge's
8 consideration.

9 DATED this 24th day of January, 2014.

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12 BRIAN A. TSUCHIDA
13 United States Magistrate Judge
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